

**Enrolled Minutes of the Twentieth Regular or Special Meeting
For the Twenty-Eighth Highland Town Council
Regular Plenary Business Meeting
Monday, September 26, 2016**

Study Session. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, September 26, 2016 at 6:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Mark Herak, Dan Vassar, Steve Wagner and Konnie Kuiper were present. Councilor Bernie Zemen was absent. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council reviewed and discussed the agenda of the imminent regular meeting.
2. The Town Council discussed a resident call placed to Councilor Vassar complaining regarding the recent motorcycles associated with the Veterans' Freedom Ride event.
3. The Town Clerk-Treasurer noted that he was hosting his late parent's estate auction on the forthcoming weekend. He noted that it would be customary to issue a noise permit for such an event. The Clerk-Treasurer sought a temporary allowance to have another officer than himself be responsible for issuing such a permit to eliminate any possible or potential conflict.

The study session ended at 7:01 O'clock p.m.

Regular meeting. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, September 26, 2016 at 7:03 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council Vice President, Dan Vassar as acting president presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with the Acting Town Council President reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Mark Herak, Dan Vassar, Steve Wagner and Konnie Kuiper. Councilor Bernie Zemen was absent. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Esq., Town Attorney; Pete Hojnicky, Metropolitan Police Chief; John M. Bach, Public Works Director; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; and Cecile Petro, Redevelopment Director were present.

Also present: Randy Bowman, Assistant Inspector for Electrical was also present.

Minutes of the Previous Meetings: The minutes of the regular meetings of September 12, 2016 were approved by general consent.

Unfinished Business and General Orders:

1. **Works Board Order No. 2016-32:** An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from **Brite Computers** of Fishers, New York certain equipment and supplies, pursuant to I.C. 5-22 and Chapter 3.05 of the Highland Municipal Code, in the amount of \$18,933.

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2016-32. Councilor Wagner seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2016-32**

An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Brite Computers of Fishers, New York Certain Equipment and Supplies, pursuant to I.C. 5-22 and Chapter 3.05 of the Highland Municipal Code in the amount of \$18,933.

Whereas, The Town of Highland Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department; and

Whereas, The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase will be below \$150,000;

Whereas, The Metropolitan Police Chief has identified Brite Computers of Fishers, New York to be a desirable source vendor for the purchase of equipment and supplies at a price of \$18,933;

Whereas, The price for the purchase exceeds \$15,000.00 and, pursuant to Section 3.05.040 (C) & (E) as well as Section 3.05.050 (B)(2) of the Highland Municipal Code, such purchase requires the express approval of the purchasing agency; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(2) of the Highland Municipal Code serves as the purchasing agency for the Metropolitan Police Department; and

Whereas, The Metropolitan Police Chief, pursuant to Section 3.05.050 (D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

Whereas, The Purchasing Agent, pursuant to Section 3.05.060(G)(2) of the Highland Municipal Code, expected that the purchase would less than \$50,000.00 and therefore, chose to purchase in the open market without inviting quotes; and

Whereas, The purchase of this equipment and supplies will be supported by the *Public Safety Income Tax Fund*;

Whereas, The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein,

Now, Therefore Be It Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby finds and determines that the purchase as an individual purchase represents a duly executed small purchase pursuant to IC 5-22 and Section 3.05.050(G)(2) of the Highland Municipal Code;

Section 2. That the terms and charges for the equipment and supplies sought, in the total amount of eighteen thousand, nine hundred and thirty-three dollars (\$18,933.00) are found to be reasonable and fair;

Section 3. That the Works Board hereby authorizes and approves the purchase from **Brite Computers** of Fishers, New York for the equipment and supplies sought in the amount of \$18,933, pursuant to IC 5-22 and Section 3.05.060(G)(2) of the Highland Municipal Code;

Section 4. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 35-5-4-14.

Be it so Ordered.

Duly, Passed and Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 26th day of September 2016 having passed by a vote of 4 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Dan Vassar, Acting President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

2. **Works Board Order No. 2016-33:** An Order Of The Works Board Accepting The Bid Of Ryan Construction Incorporated For The Demolition Of The Unsafe Building At 10013 Erie Street, Highland, Indiana Being The Lowest Responsive And Responsible Bid In The Amount Of Fifteen Thousand Nine Hundred Dollars And No Cents (\$15,900).

Councilor Wagner moved the passage and adoption of Works Board Order No. 2016-33. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The order was adopted.

**TOWN of HIGHLAND
Board of Works
Order of the Works Board No. 2016-33**

AN ORDER OF THE WORKS BOARD ACCEPTING THE BID OF RYAN CONSTRUCTION INCORPORATED FOR THE DEMOLITION of the UNSAFE BUILDING at 10013 ERIE STREET, HIGHLAND, INDIANA BEING THE LOWEST RESPONSIVE AND RESPONSIBLE BID IN THE AMOUNT OF FIFTEEN THOUSAND NINE HUNDRED DOLLARS AND NO CENTS (\$15,900)

Whereas, The Unsafe Building Hearing Authority and its Enforcement Authority have determined that an enforcement action leading to the demolition of an unsafe structure located at 10013 Erie Street, Highland is necessary and desirable, pursuant to IC 36-7-9-4;

Whereas, The Building Commissioner, as purchasing agent, deemed it desirable to solicit bids, pursuant to IC 36-1-12 et seq., prepared bid specifications, published notice pursuant to IC 5-3-1, and received and read aloud the following bids at the Town Hall on 16th of September 2016 for demolition services at 10013 Erie Street, Highland:

- | | | |
|-----|---|-------------------------|
| (1) | Ryan Construction, Inc.
6 E. 67 th Avenue, Merrillville, IN 46410 | Bid: \$15,900.00 |
| (2) | R.A. Oros, Inc.
8244 Greenwood Avenue, Munster, IN 46321 | Bid: \$16,000.00 |

Whereas, The Building Commissioner has reviewed the bids and determined that the bid of Ryan Construction, Incorporated in the amount of Fifteen Thousand Nine Hundred Dollars and no Cents (\$15,900.00) to be the lowest responsive and responsible bid;

Whereas, There are now or will be sufficient and available appropriations balances on hand to support the payments, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council, acting as the works board, now desires to accept the recommendation of the Building Commissioner and award a demolition contract to Ryan Construction, Incorporated for the unsafe building enforcement for the structure located at 10013 Erie Street, Highland, Indiana,

Now, Therefore, Be It hereby Ordered by the Town Council acting as the Works Board of Highland, Indiana as follows:

Section 1. That the bid of *Ryan Construction, Incorporated* for the demolition of a structure associated with an unsafe building enforcement in the amount of Fifteen Thousand Nine Hundred Dollars and no Cents (\$15,900.00) is hereby accepted as the lowest responsive and responsible bid;

Section 2. That the Building Commissioner and Clerk Treasurer are hereby authorized to execute the agreement and all documents necessary to implement the project and the objects and purposes of this award.

Be it So Ordered.

DULY, PASSED AND ADOPTED by the Town Council of the Town of Highland, Lake County, Indiana this 26th day of September 2016 having passed by a vote of 4 in favor and 0 opposed.

TOWN COUNCIL acting as the WORKS BOARD
of the TOWN of HIGHLAND, INDIANA

Dan Vassar, Acting President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

3. Authorizing the proper officer to publish legal notice of a public hearing to consider additional appropriations in the amount of **\$53,023.00** in the **Unsafe Building Fund**, in the amounts of **\$152.80** and **\$160.00** in the **Metropolitan Police Department of the Corporation General Fund** and in the amount of **\$21,500** in the **Special Events Non Reverting Fund**.

Councilor Herak moved to authorize the proper officer to publish legal notice for a public hearing to consider the described proposed additional appropriations in the funds and departments as described. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The publication and the hearing were authorized.

New Business

Agenda Amendment. Councilor Herak moved to amend the agenda to include adding the payroll docket for the payday of September 16, 2016. Councilor Kuiper seconded. Upon a roll call vote, a 2/3 vote being necessary for adoption, there were four affirmatives and no negatives. The motion passed. The agenda was amended for this issue.

Approval of Payroll Docket. Councilor Herak moved to allow and ratify the payroll docket for the payday of September 16, 2016. Councilor Wagner seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The payroll docket was allowed and ratified.

Payroll Docket for payday of September 16 2016:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$15,468.28; Building and Inspection Department, \$8,181.88; Metropolitan Police Department, \$117,642.23; Fire Department, \$3,158.44; Public Works Department (Agency), \$63,727.84 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$208,178.67.

Agenda Amendment. Councilor Herak moved to amend the agenda to include adding the temporary amendment of the current *Noise Control Code* to authorize the Metropolitan Police Chief to issue a noise permit sought by the clerk-treasurer for an estate auction liquidating personal properties from his late parents estate as its executor. Councilor Kuiper seconded. Upon a roll call vote, a 2/3 vote being necessary for adoption, there were four affirmatives and no negatives. The motion passed. The agenda was amended for this issue.

Approval of Temporary Amendment to the Noise Control Code. Councilor Herak moved to temporarily amend the current *Noise Control Code* to authorize the Metropolitan Police Chief to issue a noise permit sought by the clerk-treasurer for an estate auction liquidating personal properties from his late parents estate as its executor. Councilor Wagner seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The Noise Control Code was temporarily amended as indicated.

Comments or Remarks from the Town Council:

- **Councilor Mark Herak:** *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Board of Waterworks Directors.*

Councilor Herak had no remarks or reports.

- **Acting Council President Dan Vassar:** • *Liaison to the Park and Recreation Board.*

Acting President Vassar acknowledged the Parks and Recreation Superintendent, who reported that there were 93 members at the Fitness Center who were enrolled as part of the "Silver Sneakers" program, which qualifies these members to have their memberships supported by Medicare.

Acting President Vassar acknowledged the Redevelopment Director who reminded all that the Highland Rookery was scheduled to be dedicated on Wednesday, September 28, 2016 at 6:00 p.m.

Acting President Vassar acknowledged three persons in the audience who identified themselves as present for a Munster High School Government class.

- **Councilor Steve Wagner:** • *Advisory Board of Zoning Appeals Liaison.*

Councilor Wagner had no remarks or reports.

- **Councilor Konnie Kuiper:** • *Town Board of Metropolitan Police Commissioners, Liaison • Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Fire Chief who reported that the annual Fire Department Open House was scheduled for Saturday, October 8, 2016 from 11:00 a.m. to 3:00 p.m.

- **Council President Bernie Zemen:** *Municipal Executive Chamber of Commerce Co-Liaison • IT Liaison • Redevelopment Commission Liaison.*

The Town Council President was absent.

Comments from Visitors or Residents:

There were no comments.

Payment of Accounts Payable Vouchers. There being no comments from visitors or residents, Councilor Wagner moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period **September 13, 2016 through September 26, 2016** and the **payroll docket for September 02, 2016**. Councilor Herak seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, the payroll dockets listed were ratified and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$256,867.04; Motor Vehicle Highway and Street (MVH) Fund, \$14,374.15; Local Road and Street Fund, \$11,614.85; Federal Forfeited and Seized Assets Fund, \$5,970.00; Law Enforcement Continuing Education, Training, and

Supply Fund, \$491.50; Insurance Premium Fund, \$147,844.93; Information and Communications Technology Fund, \$4,770.05; Special Event Non Reverting Fund, \$350.58; Traffic Violations and Law Enforcement Agency Fund, \$6,303.00; Municipal Cumulative Street Fund, \$4,214.20; Gaming Revenue Sharing Fund, \$2,000.00; Total: \$454,800.30.

Payroll Docket for payday of September 02, 2016:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$15,100.03; Building and Inspection Department, \$8,547.78; Metropolitan Police Department, \$103,787.12; Fire Department, \$3,353.92; Public Works Department (Agency), \$65,540.11 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$196,328.96.

Adjournment of Plenary Meeting. Councilor Wagner moved that the plenary meeting be adjourned. Councilor Herak seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, September 26, 2016 was adjourned at 7:14 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer